

ORDINANCE NO. 960

“AN ORDINANCE TO AMEND TITLE 12 OF THE *ATHENS MUNICIPAL CODE* DATED 1995 ENTITLED ‘BUILDING, UTILITY, ETC. CODES’ TO ADOPT AND INCORPORATE THE ‘INTERNATIONAL BUILDING CODE, THE INTERNATIONAL PLUMBING CODE, AND THE NATIONAL FIRE PROTECTION ASSOCIATION ELECTRICAL CODE.”

BE IT ORDAINED BY THE CITY OF ATHENS, TENNESSEE, that the *Athens Municipal Code* Title 12 be amended as follows:

SECTION 1: That Chapter 1 of Title 12, Section 12-101 entitled “Building Code adopted” be deleted in its entirety and insert the following language in lieu thereof:

12-101. Building Code adopted. Pursuant to authority granted by *Tennessee Code Annotated* §6-54-501 through §6-54-506 and for the purpose of regulating construction, maintenance, removal and demolition of every building or structure or any appurtenance connected or attached to any building, the *International Building Code*, 2006 edition², as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as part of this Code, as is hereinafter referred to as the Building Code.

SECTION 2: That Chapter 1 of Title 12, Section 12-102 entitled “Modifications” be amended by deleting subsection (4) pertaining to Timber Footings.

SECTION 3: That Chapter 1 of Title 12, Section 12-104 entitled “Buildings must front on ‘existing’ streets” be amended by deleting the word and number “forty (40)” and substitute in lieu thereof the word and number “fifty (50).”

SECTION 4: That Chapter 2 of Title 12, Section 12-201 entitled “Plumbing Code adopted” be deleted in its entirety and insert the following language in lieu thereof:

12-201. Plumbing Code adopted. Pursuant to authority granted by *Tennessee Code Annotated* §6-54-501 through §6-54-506 and for the purpose of regulating plumbing installations, including alterations, repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, within or without the Municipality, when such plumbing is or is to be connected with the municipal water and sewer system, the *International Plumbing Code*, 2006 edition², as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as part of this Code, and is hereinafter referred to as the Plumbing Code.

SECTION 5: That Chapter 3 of Title 12, Section 12-301 entitled “Electrical Code adopted” be deleted in its entirety and insert the following language in lieu thereof:

12-301. Electrical Code adopted. Pursuant to authority granted by *Tennessee Code Annotated* §6-54-501 through §6-54-506 and for the purpose of regulating conditions hazardous to life and property from fire or explosion, the *NFPA 70 National Electrical Code*, 2005 edition, as prepared and adopted by the National Fire Protection Association and chapter 0780-2-1 of the 2003 edition *Electrical Installation* as adopted by the Department of Commerce and Insurance are hereby adopted and incorporated by reference as part of this Code, and is hereinafter referred to as the Electrical Code. Said National Electrical Code is adopted and incorporated fully as set out at length herein with the following addendum: all commercial and industrial buildings shall be wired in a metal raceway.

SECTION 6: That Chapter 4 of Title 12, Section 12-402 entitled “Purpose and Scope” be deleted in its entirety and insert the following language in lieu thereof:

12-402. Purpose and Scope. Pursuant to authority granted by *Tennessee Code Annotated* §6-54-501 through §6-54-506 to provide minimum standards, provisions, and requirements for safe installation of consumer’s gas piping and gas appliances, all gas piping and gas appliances installed, replaced, maintained, or repaired within the corporate limits

² Copies of this Code may be purchased from the International Code Council, Birmingham District Office, 900 Montclair Road, Birmingham, Alabama 35213-1206.

shall conform to the requirements of this chapter and to the *International Fuel Gas Code*, 2006 edition², as prepared and adopted by the International Code Council which is hereby incorporated by reference and made part of this chapter as if fully set forth herein. One (1) copy of the Gas Code shall be kept on file in the office of the City Manager for the use and inspection of the public.

SECTION 7: That Chapter 7 of Title 12, Section 12-701 entitled “Mechanical Code adopted” be deleted in its entirety and insert the following language in lieu thereof:

12-701. Mechanical Code adopted. Pursuant to authority granted by *Tennessee Code Annotated* §6-54-501 through §6-54-506 and for the purpose of providing minimum requirements for safe mechanical installation, alterations or repairs to new equipment, replacement of equipment, appliances, fixtures, fittings, and the appurtenances thereto, so as to safeguard life, health, and public welfare and the protection of property, the *International Mechanical Code*, 2006 edition², as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as part of this Code, and is hereinafter referred to as the Mechanical Code.

SECTION 8: That Chapter 8 of Title 12, Section 12-801 entitled “Energy Conservation Code adopted” be deleted in its entirety and insert the following language in lieu thereof:

12-801. Energy Conservation Code adopted. Pursuant to authority granted by *Tennessee Code Annotated* §6-54-501 through §6-54-506 and for the purpose of regulating the design of buildings for adequate thermal resistance and low air leakage, and the design and selection of mechanical, electrical, water-heating, and illumination systems and equipment which will enable the effective use of energy in new building construction, the *International Energy Conservation Code*, 2006 edition², as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as part of this Code, and is hereinafter referred to as the Energy Code.

SECTION 9: That Chapter 9 of Title 12, Section 12-901 entitled “Accessibility Code adopted” be deleted in its entirety and insert the following language in lieu thereof:

12-901. Accessibility Code adopted. Pursuant to authority granted by *Tennessee Code Annotated* §6-54-501 through §6-54-506 and for the purpose of making all public buildings accessible to and functional for persons who are physically handicapped the 1999 Accessibility Code, North Carolina edition Volume 1-C with the 2002 and the 2004 revisions², is hereby adopted and incorporated by reference as a part of this Code, and is hereinafter referred to as the Accessibility Code.

SECTION 10: That Title 12 be further amended by adding a new Chapter (10) entitled “International Residential Building Code adopted” as follows:

12-1001. International Residential Building Code adopted. Pursuant to authority granted by *Tennessee Code Annotated* §6-54-501 through §6-54-506 and for the purpose of providing building, plumbing, electrical, and mechanical provisions, the *International Residential Building Code*, 2006 edition², and all Appendix and Reference Standards as prepared and adopted by the International Code Council is hereby adopted and incorporated by reference as part of this Code, and is hereinafter referred to as the Residential Code.

12-1002. Modifications. Whenever the Residential Code refers to the “Chief appointed authority” or the “Chief Administrator” it shall be deemed to be a reference to the “City Manager.”

12-1003. Available in City Manager’s Office. Pursuant to the requirements of the *Tennessee Code Annotated* §6-54-502, one (1) copy of the Residential Code has been placed on file in the City Manager’s office and shall be kept there for the use and inspection of the public.

12-1004. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of this chapter or the Residential Code as herein adopted by reference and modified.

SECTION 11. Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

SECTION 12: BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and as provided by law.

PASSED ON FIRST READING: June 19, 2007

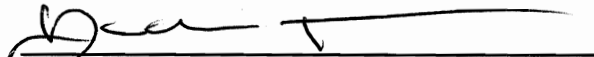
PASSED ON SECOND READING: July 17, 2007

DATE OF PUBLIC HEARING: July 17, 2007


JOHN M. PROFFITT, Mayor


MITCHELL B. MOORE, City Manager

APPROVED AS TO FORM:


H. CHRIS TREW, City Attorney